

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOEL RAMIREZ,

Plaintiff,

v.

BJ DISTRIBUTION, LLC d/b/a
BROTHER JIMMY'S BBQ and JIMMY
GOLDMAN,

Defendants.

Civil Action No. 10 CV 1169 (AKH) (HBP)

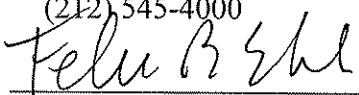
**NOTICE OF MOTION TO COMPEL
THIRD PARTY GREEN APPLE BBQ TO
COMPLY WITH SUBPOENA**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Affidavit of Felice B. Ekelman, Esq. (dated August 13, 2010), Defendant BJ Distribution, LLC d/b/a Brother Jimmy's BBQ ("Defendant"), by and through its undersigned attorneys, Jackson Lewis LLP, will move before the Honorable Alvin K. Hellerstein at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York 10007, on a date and time to be determined by the Court, for an Order granting Defendant's Motion to Compel Third Party Green Apple BBQ to Comply with Subpoena pursuant to Rule 45 of the Federal Rules of Civil Procedure.

Dated: August 13, 2010
New York, New York

Respectfully submitted,

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By: 

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Allison C. Spivak (AS 1628)

ATTORNEYS FOR DEFENDANT